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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,366	01/14/2002	Donald R. Fralic	3633-012217	5072

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EXAMINER

APPLE, KIRSTEN SACHWITZ

ART UNIT	PAPER NUMBER
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3693

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,366

Applicant(s)

FRALIC, DONALD R.

Examiner

Kirsten S. Apple

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>no IDS</u> | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This action is in response to the application filed on 1/14/2002.

Priority

Acknowledgment is made of applicant's claim for prior priority date of U.S. Provisional Patent Application 60/262,148 filed on 1/16/2001.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Zandi (US Patent 5,966,699).

Re claim 1: Zandi discloses:

A lease auction method comprising the steps of:

- a) Providing to lessor's computer lessee first qualitative variable and quantitative data regarding a lease (see Zandi, Figure 1, Item 50 + Figure 4A, item 110)*
- b) Receiving from a lessor's computer a lessor second qualitative variable and quantitative data regarding the lease (see Zandi, Figure 1, Item 50 + Figure 4A, item 115)*
- c) Receiving from the lessee's computer the second qualitative lease variable, grade and relative weight (see Zandi, Figure 1, Item 30 + Figure 4A, item 105)*
- d) Processing the grade and relative weight for second qualitative variable and quantitative data to determining a weighted total score (see Zandi, Figure 1, Item 20)*

e) Ranking the weighted total scores (see Zandi, Figure 1, Item 20 + paragraph 47

“Loan Application Software has... ranking based on certain criteria.”)

f) Providing ranked scores to lessee's and lessor's computer (see Zandi, Figure 1, Item 20 + paragraph 47 “Loan Application Software has... ranking based on certain criteria.”)

g) Repeating steps c-f each time a change of lessor quantitative variables or data (see response to c-f above)

Re claim 2: Zandi discloses:

A lease auction method comprising the steps of:

a) Receiving from a lessee's computer a first qualitative variables & quantitative data regarding the lease (see Zandi, Figure 1, Item 30 + Figure 4A, item 105)

b) Processing first qualitative variables & quantitative to obtain first lease simulation outcome (see Zandi, Figure 1, Item 20)

c) Providing obtain first lease simulation outcome to lessee's computer (see Zandi, Figure 1, Item 20)

d) Receiving from a lessee's computer a second qualitative variables & quantitative data regarding the lease (see Zandi, Figure 1, Item 30 + Figure 4A, item 105)

e) Processing second qualitative variables & quantitative to obtain first lease simulation outcome (see Zandi, Figure 1, Item 20)

f) Providing obtain first lease simulation outcome to lessee's computer (see Zandi, Figure 1, Item 20)

g) Providing first and second qualitative variables, quantitative data & simulations outcomes to lessor computer (see Zandi, Figure 1, Item 50 + Figure 4A, item 110)

Re claim 3: Zandi discloses:

Commencing the auction after completing one or more lease simulations and terminating the auction at one of

A predetermined time (see Zandi, Figure 4B, Item 135)

Re claim 4: Zandi discloses:

Lessor & lessee qualitative variables include, one of:

loan documents (see Zandi, "detailed description", Paragraph 42)

(The other list items may also be included in Zandi however only one is sufficient.)

Re claim 5: Zandi discloses:

Lessor & lessee quantitative variables include, one of:

Terms of lease (see Zandi, "detailed description", Paragraph 13 "most favorable terms")

(The other list items may also be included in Zandi however only one is sufficient.)

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Art Unit: 3693

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa


ELLA COLBERT
PRIMARY EXAMINER